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Chairman: Mrs. ESPINOSA (Mexico)

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The meeting was called to order at 3.05 p.m.

AGENDA ITEM 110: HUMAN RIGHTS QUESTIONS (continued) (A/51/3 (Parts I and II), A/51/81, 87, 90, 114, A/51/208-S/1996/543, A/51/210, A/51/462-S/1996/831; A/C.3/51/9)

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- (d) COMPREHENSIVE IMPLEMENTATION OF AND FOLLOW-UP TO THE VIENNA DECLARATION AND PROGRAMME OF ACTION (continued) (A/51/36)
- (e) REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS (continued) (A/51/36)

1. Mr. AGATHOCLEOUS (Cyprus) said that his country was fully committed to the universal application and promotion of human rights and was determined to stand up against all forms of human rights violations. States which refused to respect human rights and chose to disregard international commitments which they had accepted freely should be held fully accountable.

2. He reminded the Committee that, for more than 22 years, Cyprus had been forcibly divided, with 37 per cent of its territory remaining under military occupation by Turkey. As a result of the forcible expulsion of the indigenous population from their ancestral homes, some 200,000 Greek Cypriots were still being denied their basic human right to return to their homes and property in the occupied part of the country. Foreign settlers were still being brought in, thereby altering the demographic structure of the island, in flagrant violation of United Nations resolutions and decisions.

3. His Government was particularly concerned at the violations of the most basic human rights of the Greek and Maronite Cypriots living in the Turkish occupied area. In his report (S/1996/411), the Secretary-General had noted that those people were subject to severe restrictions on many of their basic freedoms, a situation which would ensure the ultimate demise of those communities. The Security Council, in its resolution 1062 (1996), had expressed regret that the Turkish side had not responded more fully to the recommendations made by the United Nations Peacekeeping Force in Cyprus (UNFICYP) (S/1995/1020), and it had called upon the Turkish side fully to respect the basic freedoms of those communities. Nevertheless, Turkey's oppressive policies in the occupied area continued in contravention not only of the third Vienna Agreement of 1975, but also of the relevant international humanitarian law, especially the fourth Geneva Convention.

4. The humanitarian problem of missing persons in Cyprus remained unresolved. The investigatory committee established in 1981 had made no real progress, especially since the retirement of the Secretary-General's representative on the committee. His Government hoped that the committee would resume its humanitarian work as soon as the Secretary-General appointed a new third member and that real progress would be made. It renewed its appeal to all concerned to assist and cooperate in resolving that humanitarian tragedy, which concerned both Greek and Turkish Cypriot families. The cooperation and assistance of the Republic of Turkey were essential to that end.

5. His Government had consistently displayed its commitment to finding a just and viable solution which would guarantee the independence, sovereignty, territorial integrity and unity of Cyprus, in accordance with United Nations resolutions. Recent events had once again highlighted the urgency of finding a solution which would safeguard the human rights and fundamental freedoms of the entire Cypriot population. The recent killing of two unarmed Greek Cypriot demonstrators, and the wounding of many other people, including United Nations peacekeepers, by Turkish occupation forces which had been witnessed on television by the whole world, underlined the grave dangers of allowing the status quo to continue. Failure to uphold international law and respect for human rights in one situation could set a precedent for similar failures elsewhere. Moreover, the credibility of the United Nations would be eroded if it failed to ensure the effective implementation of human rights everywhere.

6. Mr. RI Song Il (Democratic People's Republic of Korea) said that attempts to use human rights issues to bring political and economic pressure to bear on other countries were unending, as was confrontation over such issues. In order for human rights issues to be resolved fairly, every Member State should respect the international community's ideals, as reflected in the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action, and begin to cooperate on those issues, abandoning the double standards, selectivity and politicization that currently surrounded human rights. His delegation was seriously concerned at the politicization of human rights by some Governments in order to distract attention from the grave violations of human rights perpetrated in their own countries. Non-interference in the internal affairs of other States was a key element in achieving international cooperation, while the infringement of national sovereignty could seriously undermine international peace and security. His delegation categorically rejected any attempt to use human rights issues as a precondition for development assistance or economic relations.

7. The right to development was an inalienable human right. If developed countries were sincerely interested in resolving human rights issues, they should actively support developing countries' efforts to realize the right to development.

8. With regard to international cooperation in the field of human rights, it was important that no State should force another to accept its own human rights standards, since each Member State had its own specific social system, political philosophy and culture. His delegation emphasized the importance of a balanced relationship between individual human rights and the rights of the community. The individual could not exist in isolation from society, and individual-centred human rights were not acceptable to a society which advocated collectivism under

socialism. His delegation would never tolerate any infringement of its country's sovereignty or slander of its socialist system, which was a powerful weapon for the protection and promotion of human rights.

9. Mr. U PE THEIN TIN (Myanmar) said that increasing focus had been placed on human rights in the post-war years, but that interest in human rights would achieve nothing unless it was pursued with objectivity, impartiality and non-selectivity. The rich diversity of nations' historical, cultural, religious, social and economic backgrounds must be respected and their different priorities recognized. No country or group of countries should seek to reshape the world in its own image. It was a sad commentary on the times that some countries were resorting increasingly to the politicization of human rights, using them as a tool for interfering in the internal affairs of sovereign States. His delegation was concerned that smaller countries were being singled out for alleged violations, while others, where abuses abounded, were treated with sympathy and understanding.

10. Any consideration of the situation of human rights in his country should be based on an understanding of the overall situation, which was one of tremendous transformation. The people of Myanmar were much better off than they had been eight years previously, when the country had been in turmoil as a result of the activities of numerous armed groups. The restoration of peace and stability and the adoption of a market economy had brought about an improvement in the economy which had enabled the Government to implement development projects, notwithstanding the withholding of official development assistance by certain countries. It was regrettable that some countries had chosen to ignore his people's right to development which was a fundamental human right. His delegation hoped that countries would work together to remove all obstacles to the exercise of that right.

11. The political process in Myanmar was essentially a matter for the people of that country to determine for themselves. No country could permit an individual or an organized group to jeopardize national reconciliation efforts, much less condone anything that led to a breakdown of law and order. In matters of national security there could be no compromises. Individuals who broke the law should expect to have action taken against them: no one could expect to hide behind the shield of political immunity. Since no one had been imprisoned for their political beliefs in Myanmar, his delegation found calls for the immediate release of all political prisoners unacceptable.

12. With regard to the death of Mr. James Leander Nichols, a citizen of Myanmar, his delegation found the position taken by the European Union, particularly Denmark, unreasonable and unwarranted, and the insistence on an investigation by the Special Rapporteur perplexing. The relevant information had been made available to all concerned embassies, and the Minister for Foreign Affairs had himself informed the European Union on two occasions of the circumstances surrounding the death of Mr. Nichols.

13. He reiterated his country's willingness to cooperate with the United Nations, as well as with other countries. Myanmar believed that cooperation was the best way to ensure the fullest enjoyment of human rights by peoples everywhere.

14. Mr. HOUANSOU (Benin) said that it had become commonplace to point to the link between democracy and human rights, and, indeed, Benin's experience since 1990 had shown that political dialogue, respect for fundamental freedoms and the rule of law were integral to the democratization process. His Government had sought to develop a culture of human rights. With the assistance of the United Nations Centre for Human Rights, it had held training courses for civil servants and officials of non-governmental organizations working in the human rights field, and seminars on such themes as human rights education, the rights of detainees and the independence of the judiciary. In addition, national legislation was being brought into line with international human rights instruments.

15. Democratic values were becoming ever more firmly entrenched in Benin's political system. The various branches of government coexisted harmoniously and the Beninese people were able to elect their political representatives in free, multi-party elections in which all candidates enjoyed unrestricted freedom of expression.

16. The process of economic reform had been more problematic, however. His Government was seeking to mitigate the adverse effects of the structural adjustment programme initiated in 1989 by ensuring that, as the programme's various phases were implemented, their social dimension was taken into account and projects were undertaken to meet people's nutrition, health care, housing and educational needs.

17. His delegation was convinced of the link between economic progress and the effective enjoyment of human rights, and it welcomed therefore the international community's recognition of the right to development as a fundamental human right. It was concerned, however, that the efforts of the Centre for Human Rights and the High Commissioner to achieve that important right were being hampered by lack of resources, and urged donor countries to increase their contributions.

18. His delegation welcomed the emphasis placed by the United Nations human rights machinery on preventive action. The links forged by the Centre and the High Commissioner with the specialized agencies, the regional commissions and the World Bank would greatly enhance both the scope for preventive measures and the realization of the right to development. With regard to the restructuring of the Centre, his delegation regretted that the High Commissioner had failed to elicit the views of Member States.

19. Knowledge and understanding of the nature of human rights was a precondition for their respect. His delegation therefore commended the activities of the United Nations Educational, Scientific and Cultural Organization (UNESCO), in particular its work to promote a culture of peace, which had begun with the International Congress on Peace in the Minds of Men, held at Yamoussoukrou, Côte d'Ivoire, in July 1989. He called upon the international community to lend its support to all UNESCO programmes aimed at enabling peoples of different cultures to coexist in a spirit of tolerance.

20. Mr. MAHUGU (Kenya) said that all human rights were interdependent and indivisible. His country was a party to a number of United Nations human rights instruments and reaffirmed its commitment to promote and protect all human

rights and fundamental freedoms. Like all countries, Kenya did not have a perfect human rights record. No country or political system was immune to violations or had a monopoly on wisdom in that field. His Government had established an independent Standing Committee on Human Rights to investigate complaints of abuse of power or unfair treatment by public officials and to educate the public on all aspects of human rights in the country. Kenya was strongly in favour of strengthening the administration of justice in the field of human rights and felt that needy developing countries, particularly those in Africa, should be provided with support for that purpose.

21. The restructuring of the Centre for Human Rights was necessary in order to enhance its effectiveness. However, the reform process should take into account the principle of equitable geographical distribution of staff and should be properly coordinated with Member States. The right to development had been recognized as an integral part of basic human rights, and the High Commissioner for Human Rights should work for the elimination of all obstacles to the implementation of that right, inter alia, by ensuring that it was handled by a separate branch of the Centre for Human Rights. Lastly, his delegation called for greater consultation and cooperation with United Nations human rights bodies and stressed the need to refrain from using human rights as a political weapon for foreign policy purposes.

22. Mrs. MASDOUA (Algeria) stressed the importance of the right to development and the need to ensure that that right was accorded a proper place in the work of the Centre for Human Rights. Aware of the fact that the promotion and protection of fundamental freedoms and democratic principles was the task of Governments, Algeria had supported all the international human rights instruments, as well as the corresponding treaty monitoring bodies. Her country's recent accession to the Convention on the Elimination of All Forms of Discrimination against Women demonstrated Algeria's determination to ensure the effective implementation of human rights and fundamental freedoms.

23. In its determination to establish a true democracy, Algeria was confronting the resurgence of medieval doctrines that were incompatible with human rights and democratic values. In the fight against terrorism and obscurantist fundamentalism, the State was using all legal means to maintain order and public security while guaranteeing human rights, especially the right to life. Algeria had abolished special courts and adopted clemency measures in order to promote a return to civil peace.

24. Algeria's judicial system was to be strengthened by the establishment of a State Council which would increase the independence of the judiciary and provide an additional guarantee to protect citizens against possible abuses of power by the State. The appointment of a mediator in March 1995 had provided a further, non-judicial recourse mechanism for all citizens. Capital punishment had been suspended since September 1993 and the last administrative detention centre had been closed in November 1995. It was ironic that Algeria's efforts to protect human rights in very difficult circumstances were being largely ignored.

25. Algeria's commitment to democracy had been demonstrated by the holding of presidential elections in November 1995, in the presence of international observers from the United Nations, the Organization of African Unity and the League of Arab States who had confirmed their free and democratic nature. A

constitutional referendum was to be held in November 1996 to establish a second chamber and thereby ensure a better balance between the executive and legislative branches. Algeria had decided to hold legislative and municipal elections in 1997, with the participation of all political groups that rejected violence and respected the Constitution.

26. Mr. CHIRINCIUC (Republic of Moldova) said that his country had committed itself firmly to democracy and attached particular importance to the promotion and protection of human rights and fundamental freedoms. Accordingly, it had acceded to the international human rights instruments and brought its domestic legislation into line with their provisions. It had also taken steps to increase its cooperation in the field of human rights with the United Nations and other international organizations, particularly the Council of Europe. It attached great importance to strengthening the mechanisms for ensuring the holding of free and fair elections and had recently completed the first round of voting in its presidential election, in the presence of international observers.

27. Unfortunately, his country's democratization and reform process was still being affected by the actions of the separatist regime that controlled the eastern region of the Republic of Moldova. That separatist movement had not come about as a result of violations of the rights of persons belonging to certain national minorities, but was politically and ideologically motivated. With the support of international organizations, his Government had attempted to find a solution that was acceptable to the parties concerned, and it was prepared to grant special autonomous status to that region in a spirit of compromise. Nevertheless, the authorities in the region, who under the influence of foreign forces had proclaimed an anti-constitutional republic, were not yet ready to accept a solution based on unconditional respect for the territorial integrity and sovereignty of the Republic of Moldova.

28. Unfortunately, certain recent statements by the State Duma of the Russian Federation, the country that was acting as mediator in the current negotiating process, would not facilitate normalization of the situation in the eastern part of the Republic of Moldova. The Duma had decided, inter alia, to conclude an economic, military and cultural agreement with that region and had declared it an area of major strategic interest for the Russian Federation. Furthermore, the Duma had recommended that the Russian Government should consider the possibility of stationing a Russian military contingent permanently in that area.

29. His Government considered that decision to be contrary to the agreement on the legal status of the area and on the terms and for the withdrawal of Russian troops, signed in October 1994 with the Russian Federation, and had expressed its concern that the Duma was using the protection of the rights of persons belonging to the Russian minority as a pretext for interfering in the internal affairs of the Republic of Moldova.

30. His delegation also wished to point out that the human rights of the Moldova population in the region in question continued to be violated. Moldovan citizens living there were being deprived of their right to participate in the country's elections and in the privatization process and economic reforms, and of their rights to appeal to judicial bodies and to study their mother tongue. Despite numerous appeals by his Government and international organizations to

the anti-constitutional authorities in Tiraspol, the members of the Ilascu group, who had been sentenced illegally, were still in prison. The population of the region continued to be subjected to a campaign of persecution by the authorities. His Government required the political and moral support of international organizations in order to change the alarming situation.

31. In conclusion, he expressed his Government's support for the efforts of the High Commissioner for Human Rights to restructure the Centre for Human Rights and asked the High Commissioner to consider the possibility of assisting his Government's efforts to ensure full respect for human rights in the eastern region of the Republic of Moldova.

32. Mr. KUANG LEE (Republic of Korea) stressed that democracy and respect for human rights and fundamental freedoms were the very foundation of genuine development and prosperity and must be incorporated into the mainstream United Nations activities. Despite the remarkable progress made in that area, appalling human rights abuses and flagrant violations of fundamental freedoms continued to be perpetrated throughout the world. He therefore underscored the need to improve the United Nations human rights machinery and commended the efforts of the High Commissioner for Human Rights to establish a dialogue with various Governments with a view to improving the human rights situation in their countries. Human rights programmes should be an integral part of peacekeeping operations and of the entire peace process, while increasing the field presence of United Nations human rights officers could help to ensure the observance of human rights in times of conflict. To forestall massive human rights violations, priority should be given to ending the impunity enjoyed by the perpetrators of human rights violations and to establishing protective mechanisms. Legal deterrents and punishment mechanisms such as an international criminal court should be instituted.

33. Since the elimination of all forms of violence against women was a priority task, his delegation fully supported the recommendations in the report of the Special Rapporteur on that subject (E/CN.4/1996/53/Add.1). With regard to the issue of "comfort women" addressed in that report, his country believed that all the facts surrounding the plight of those women during the Second World War should be brought to light, as a valuable historical lesson to future generations to prevent the recurrence of similar tragic situations. The issue of reparation for individual victims could be settled only when the proposed reparation measures were acceptable to the victims, as well as to the relevant non-governmental organizations. His Government remained concerned, in that connection, that certain political circles in Japan were continuing to distort historical facts and even attempting to delete references to that issue from school textbooks.

34. His delegation appreciated the efforts of the High Commissioner for Human Rights to restructure the Centre for Human Rights, but remained concerned that lack of resources was hampering the vital work of both the Centre and other human rights mechanisms. It was pleased to announce that his Government planned to donate office automation equipment and \$500,000 in financial assistance to the Centre in 1996. It supported the expansion of regional cooperation in the field of human rights under the Centre's advisory services and technical assistance programme, particularly in the Asian and Pacific region. As a reflection of the value that it placed on the role of national institutions, his

Government was considering the establishment of an independent national human rights commission. Lastly, given the need to foster a culture of peace and tolerance in order to ensure the enjoyment of human rights, it fully supported international efforts, including the work of United Nations Educational, Scientific and Cultural Organization (UNESCO), towards that end.

35. Mr. SERGIWA (Libyan Arab Jamahiriya) said that, despite the international community's success in formulating a number of international conventions which laid the foundations for a healthy human rights environment, flagrant violations of human rights continued to be perpetrated in many parts of the world. Peoples, such as the Palestinian people, living under occupation were subjected to daily abuse; and many others were the victims of ethnic, religious or social strife. Some countries adopted a highly selective approach to human rights issues, appointing themselves the guardians of such issues and in fact using them to serve their own interests. Such practices made it impossible for all the rights specified in the international instruments to be fully enjoyed by all. The Vienna Declaration and Programme of Action had stressed the need for non-selectivity, neutrality and objectivity in dealing with human rights, in order to ensure their universal application. His delegation therefore supported the High Commissioner's policy of instituting a dialogue and cooperation with countries, rather than applying a double standard.

36. His delegation believed that all human rights were interrelated and that the right to development was inseparable from other human rights. He therefore hoped that the High Commissioner would increase his contacts with the international financial institutions with a view to facilitating the realization of that right.

37. With regard to the interim report on extrajudicial, summary or arbitrary executions prepared by the Special Rapporteur of the Commission on Human Rights (A/51/457), he noted that the Special Rapporteur, in paragraph 99 of his report, emphasized that Governments must respect the right to life of all persons, even when they demonstrated total disregard for the lives of others. He found it difficult to understand why people who posed a threat to the lives of others should apparently be treated with greater respect than their innocent victims. In paragraph 105 of the report, it was stated that the desirability of the abolition of capital punishment had been strongly reaffirmed on different occasions by "United Nations organs and bodies in the field of human rights, inter alia, the Security Council, the Human Rights Committee and the General Assembly". That was the first time he had heard that the Security Council was a human rights body or that the relevant bodies and the General Assembly had called for the abolition of capital punishment. The position of the Libyan Arab Jamahiriya on the death penalty was that capital punishment should be abolished, except for persons who posed a threat to society. Any attempt to impose complete abolition of the death penalty was unacceptable as long as capital punishment remained the only credible deterrent to violence crime. Innocent people had an equal right to life. It would be better if the Special Rapporteur devoted himself to studying the issues entrusted to him, rather than involving himself in completely unrelated matters.

38. His delegation supported the restructuring of the Centre for Human Rights. If that exercise was to succeed, however, every Member State should be given the opportunity to express its views on the restructuring process. In that regard,

his delegation emphasized that posts at the Centre should be distributed along more equitable geographical lines, since the number of technical staff from developed countries greatly outnumbered those from developing countries.

39. His country had been among the first to become signatories to the international human rights instruments, realizing as it did the importance of the individual in society. However, its efforts to strengthen and protect human rights were being frustrated by the arbitrary measures imposed against it pursuant to Security Council decisions. The Security Council had been established with the aim of maintaining international peace and security in accordance with the Charter of the United Nations and international law, yet the lives of many innocent people, particularly the most vulnerable members of society, had been put at risk by the most flagrant violations of human rights, perpetrated with the Council's authorization. He wondered how it was possible for any United Nations organ to take decisions which conflicted with international law and violated the Charter, as the Security Council had done in imposing sanctions on the Libyan Arab Jamahiriya, when the United Nations was supposed to protect human rights.

40. Mrs. VARGAS (Nicaragua) said that the creation of the United Nations 50 years previously had been a source of hope for both the industrialized countries and the developing countries, the great majority of which had still been under colonial rule or under dictatorial regimes which deprived their peoples of freedom, dignity and justice, and outlawed talk of democracy and respect for human rights. For many developing countries, the process of independent, democratic development was still relatively new. Many of them, like Nicaragua, were still endeavouring to shake off the legacy of dictatorships, wars, poverty and underdevelopment. Many others were still suffering from destabilizing conflicts triggered by ethnic and religious rivalries. The developing countries were fully aware that the promotion and protection of human rights was a challenge to be met mainly at the national level. However, the international community had a part to play, not by pointing an accusing finger or engaging in a sterile debate, but by participating in a constructive dialogue in order to achieve positive, practical results. The challenge now facing the international community was to ensure the practical, balanced implementation of the recommendations adopted at the World Conference on Human Rights.

41. The world had changed dramatically in recent years, but the progress made on the political front had not been matched by similar progress on the social and economic fronts. Most developing countries were still confronted by poverty, malnutrition, illiteracy, health problems and, in many cases, an absence of fundamental freedoms. The right to development was thus essential to the peoples of developing countries, who needed higher incomes, improved social, health and education services and a chance to escape from extreme poverty and enjoy better living conditions if they were to be able to make a constructive contribution to the development of democratic systems that would guarantee full respect for their human rights.

42. An innovative approach to human rights should be adopted which gave priority to meeting the basic needs of the human person. If a genuinely new world order was to be achieved, the challenge of development must be faced. Her delegation therefore welcomed the emphasis placed on the right to development in

the recent reports of the High Commissioner for Human Rights, and commended him for holding consultations with the World Bank concerning possible cooperation on programmes for sustainable development. She hoped that additional information on such cooperation would be provided at the next session of the Commission on Human Rights. In that context, increased attention should be given to the adverse effects of structure adjustment on social indicators, and to the consequences for the economies of developing countries of the high cost of servicing their foreign debt. In the restructuring of the Centre for Human Rights, particular attention should be given to identifying both national and international obstacles to the implementation of the right to development.

43. In Nicaragua, human rights enjoyed greater protection than ever before. There was complete freedom of expression, there were no political prisoners, any abuses by the authorities could be freely denounced, there was an independent judiciary and the consolidation of the rule of law was being treated as a priority. The recent general elections, which had taken place peacefully and with a very high voter turnout, were further evidence of the strengthening of democracy, which in turn provided an appropriate framework for the protection and full enjoyment of human rights.

44. The international community had an opportunity to redirect and strengthen its commitment to human rights. That should be done in a spirit of balance, consensus, solidarity and cooperation, in order to build on the progress already made.

45. Mrs. ALBRIGHT (United States of America) said that, as the international community approached the dawn of the twenty-first century, there were many reasons to hope that an era of peace and respect for human rights would be ushered in. In the past two decades, the number of democratic nations had tripled. In 1996, more than 1 billion people had gone to the polls. In Guatemala, the new Government was campaigning to fight corruption, enhance respect for human rights and bring an end to the hemisphere's longest civil conflict. Throughout the world, forward-looking nations were striving to implement the Beijing Declaration and Platform for Action.

46. That democratic trend was not, however, universal. Many Governments relied for their authority not on popular consent, but on coercion. In Myanmar, for example, the State Law and Order Restoration Council (SLORC) had issued a decree threatening its critics with prison sentences of up to 20 years. The National Convention, which was meeting to draft a new constitution, was a sham. The opposition leader, Aung San Suu Kyi of the National League for Democracy, had been prevented from convening a party congress. The United States delegation would urge the General Assembly to call for a genuine democratic dialogue, respect for the rights to freedom of speech and freedom of association, the release of political prisoners and an end to forced labour in Myanmar.

47. In Iraq, the brutal and lawless regime of Saddam Hussein tortured and terrorized the Iraqi people, suppressed civil and religious dissent and murdered its opponents. The report of the Special Representative of the Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran likewise contained accounts of arbitrary detention, torture and summary execution. Her delegation called upon the Governments of both countries to

cease their repression of their peoples and end their support for international terrorism.

48. The situation in the Sudan was also cause for concern. While both parties to the civil conflict in that country had been guilty of human rights violations, the Government merited political censure for its indiscriminate bombing of civilians. The willingness of the authorities to allow the Special Rapporteur of the Commission on Human Rights to visit the Sudan was, however, cause for optimism. In Nigeria, the Government's undertaking to implement a transition to democracy had yet to yield tangible results. While an electoral campaign had begun, it was being manipulated to limit participation by opposition parties. Independent newspapers had resumed publication, but their journalists had been harassed. Some political prisoners had been released, but more than 100 remained in detention.

49. In Central Africa, the tensions between ethnic Tutsis and Hutus had been a source of grave preoccupation for the international community. The recent repatriation of Hutu refugees to Rwanda was a most welcome development, and her Government noted with satisfaction the pledge by the Rwandan authorities to guarantee the security and human rights of all Hutus. The international community must help Rwanda to fulfil that pledge and to resolve with due process the many criminal cases associated with the 1994 genocide. In Burundi, the human rights abuses committed both by the security forces and by rebel groups remained a major concern.

50. Her Government continued to work for democratic change in Cuba. During a recent visit to China, the United States Secretary of State had voiced concern at the continued suppression of dissent in that country and at the situation of human rights in Tibet. In the Balkans, her Government was encouraged by the slow but steady implementation of the General Framework Agreement for Peace concluded at Dayton, Ohio.

51. The armed conflict in Afghanistan must be brought to an end. Women and girls, having endured long years of war, had now been deprived of their rights by the draconian decrees of the Taliban. The Afghan people had proved their physical courage in their struggle for independence; moral courage was now required to end the fighting and establish a broad-based government.

52. The greatest divide in the present-day world was not between East and West or North and South, but between those striving to build the future. Her Government called upon all Member States to respect the dignity of their citizens, to fulfil their commitments under the Charter of the United Nations and to recognize the indissoluble link between human development and human freedom.

53. Mr. SNOUSSE (Morocco) said that the international community could be justly proud of its achievements in the field of human rights since the adoption of the Universal Declaration of Human Rights in 1948. In particular, the ratification of the various international instruments by an ever-growing number of States reflected increasing recognition of the universality of human rights. His delegation had been encouraged by the positive developments in the human rights situation in many parts of the world in 1996. There was every reason to hope that not only the recognition but also the effective enjoyment would one day be

universal. If that goal was to be achieved, the international community must work tirelessly to implement the provisions of the Vienna Declaration and Programme of Action.

54. His delegation noted with satisfaction the importance that had been accorded to the right to development during the Committee's deliberations. While poor economic and social conditions should never serve as justification for human rights abuses, it was clear that progress in the field of human rights went hand in hand with economic and social development.

55. Upon gaining its independence, Morocco had begun the slow but steady process of building a State governed by the rule of law and promoting a human rights culture that embraced both the tenets of Islam and the ideals of the Universal Declaration of Human Rights. His Government had gradually amended the country's national legislation to bring it into line with the international human rights instruments ratified by Morocco. Over the past 10 years, it had established a number of national human rights institutions, including a Constitutional Council and a Ministry of Human Rights. Various non-governmental organizations were also active in that field. Aware of the interdependence of respect for human rights and democracy, his Government had recently held a referendum on amending the 1992 Constitution, and legislation was being drafted with a view to holding national elections. In seeking to promote human rights, his Government placed special emphasis on the rights of women and children and cultural rights.

56. Human rights education was being gradually incorporated into the curriculum of Morocco's schools. In addition, a training and documentation centre was being set up with the assistance of the United Nations Centre for Human Rights. His Government was grateful to the Centre, to the High Commissioner and the Assistant Secretary-General for Human Rights for their valuable work.

57. His delegation was convinced that human rights issues would be more effectively addressed if there were greater respect for State sovereignty and greater tolerance for cultural diversity. There was a need for greater democracy not only within States, but also within the international community.

58. Mr. STEFANOV (Bulgaria) said that as a neighbouring country, Bulgaria was particularly interested in the improvement of the human rights situation in Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia. His Government was contributing to the post-conflict peace process in Bosnia and Herzegovina by sending experts to assist with the implementation of the humanitarian and human rights aspects of the General Framework Agreement for Peace. It was also ready to contribute to the regional peace process through the promotion of regional security, stability and cooperation.

59. Bulgaria was paying particular attention to the human rights situation of the Bulgarian national minority in Serbia, who should be allowed to live in dignity and freedom and to have every opportunity for unrestricted expression of their ethnic identity. His Government had been trying to resolve that issue with the Yugoslav authorities on a bilateral level; it hoped that the atmosphere of goodwill which had characterized recent high-level contacts with Yugoslavia would facilitate the quest for practical, durable solutions to the outstanding problems. His Government's expectations had yet to be fulfilled, however, and

complaints continued to be received from members of the Bulgarian minority, mainly concerning education and the expression of ethnic identity. In some instances, local educational authorities had allegedly discouraged teachers and pupils from using the Bulgarian language in class, and schools attended by members of the Bulgarian minority had been denied the right to celebrate Bulgarian traditional holidays. The Committee on the Rights of the Child, in its concluding comments on the report of Yugoslavia, had expressed concern at the "progressive exclusion of teaching in languages other than Serbian, such as Bulgarian". It was essential that Bulgarians in Yugoslavia should enjoy, on an equal basis with other national minorities, their constitutional rights of free expression of their ethnic identity and education in their mother tongue.

60. Issues related to the Bulgarian national minority in Serbia had been raised in a number of reports to the Commission on Human Rights and the General Assembly. The Commission had expressed concern and had demanded that the Yugoslav authorities respect the rights of the Bulgarian minority. His Government would welcome a visit by the Special Rapporteur on the situation of human rights in the former Yugoslavia to the area of Serbia inhabited by the Bulgarian minority, which would enable her to investigate all the circumstances related to her mandate impartially and objectively by drawing on the largest possible range of information sources. Effective functioning of the Special Rapporteur's office in Belgrade was also a necessary precondition for obtaining impartial and objective information.

61. Mr. CHIRILA (Romania) said that the existence of a universal framework for the promotion and protection of human rights and fundamental freedoms was a great achievement. It was also to the credit of the international community that it had committed itself in recent years to the strengthening of cooperation in the field of human rights. However, it was a matter of concern that the goal of universal accession to human rights instruments set forth in the Vienna Declaration and Programme of Action had yet to be achieved and that many States continued to make reservations to those instruments. Romania strongly supported all initiatives aimed at the withdrawal of reservations that were contrary to the letter and spirit of human rights instruments. States must take all appropriate legislative and institutional measures to ensure full compliance with their international obligations.

62. Romania was grateful for the valuable support which it had received from the United Nations human rights machinery on its road to democracy and the strengthening of the rule of law. It fully supported the efforts of the High Commissioner for Human Rights to restructure the Centre for Human Rights to enable it to respond appropriately to new challenges. His Government also commended the work done by the High Commissioner in the area of the prevention of human rights violations and the strengthening of the United Nations human rights machinery.

63. His delegation stressed the importance of human rights reporting obligations and also of the communication procedures provided for under some human rights treaties. The reporting and communication systems provided Governments with useful information that could help them to fulfil their commitments in the field of human rights. Romania strongly supported the elaboration of optional protocols introducing communication procedures for those conventions which did not yet have them. While the promotion and protection of

human rights was the responsibility of Governments, it was also desirable to involve civil society in the process. In that connection, his delegation supported the High Commissioner's initiatives in the field of human rights education and training.

64. Romanian society had learned a great deal during the ongoing process of democratic reform. The process was a difficult one, but with the support of the United Nations, the Council of Europe and the European Union, accession to and the implementation of human rights instruments was becoming a reality. Any delay in the process of universal ratification and implementation of human rights instruments would make it more difficult for the international community to respond effectively to the new challenges posed by the complex development of human society. His Government strongly believed that human rights and fundamental freedoms were an integral part of a genuinely democratic society.

65. Mr. BAUMANIS (Latvia) said that the Vienna Declaration and Programme of Action had reaffirmed the universality of human rights. However, that concept would become meaningful only when all States lived up to the commitments made at Vienna. The World Conference on Human Rights had been one of the first international conferences in which Latvia had participated. Subsequently, his Government had adopted a national plan of action for the implementation of the recommendations of the Conference. In 1995, it had created a National Human Rights Office, an independent body whose mandate was to: raise public awareness of human rights; receive and investigate communications from individuals; and make recommendations on the promotion and protection of human rights to Parliament and the Government. The United Nations High Commissioner for Human Rights had commended his Government on the establishment of that Office, which he had described as an important example to other countries. In order to improve the dialogue between the authorities and Latvia's ethnic minorities, a Consultative Council on Nationalities had also been created.

66. The current situation of human rights in Latvia could be attributed, in part, to a number of historical factors. In 1940, the Republic had been occupied by and forcibly incorporated into the Soviet Union. During the ensuing terror, tens of thousands of Latvians had been deported or had fled into exile. Subsequently, almost 1 million immigrants from the Soviet Union, mainly Russians, had settled in Latvia, many of them enjoying special privileges. As a result, by 1989 only just over half of the population had been Latvians and Latvians had been in the minority in the country's seven largest cities, including the capital, Riga. After the restoration of independence in 1991, Latvia had been faced with the challenge of integrating its non-Latvian inhabitants, accounting for almost half the population. The process had been steady and peaceful. The immigrant population had been granted all the fundamental rights and freedoms recognized by the international community, while ethnic Latvians had demonstrated tolerance and goodwill. Latvia's State schools provided secondary education in eight languages spoken by national minorities, including Russian.

67. The main requirement for gaining Latvian citizenship was knowledge of the Latvian language. Unfortunately, less than a third of non-Latvians had learned the language, even after years of living in Latvia. The fact that only 1 per cent of persons eligible for citizenship had actually applied for it in 1996 was apparently attributable to their poor knowledge of Latvian. In order

to address that problem, his Government had developed a language learning programme in cooperation with the United Nations Development Programme (UNDP).

68. His Government's commitment to the promotion and protection of human rights was attested to in a statement by the mission of the Organization for Security and Cooperation in Europe (OSCE) in Latvia. Various international experts had visited the country, including the High Commissioner and the Assistant Secretary-General for Human Rights, and had found no evidence of gross or massive human rights violations. The problems which his country undoubtedly faced were the result of Latvia's very particular demographic situation. It was the responsibility of the Russian Federation, as the successor State to the Soviet Union, to cooperate in solving those problems and to build new relations with its neighbours based on tolerance and reconciliation.

69. His Government considered that the provisions of General Assembly resolution 48/155 had been implemented in full and that further consideration of the situation of human rights in Estonia and Latvia, once the debate on agenda item 110 had ended, would serve no useful purpose.

70. Mr. KOCETKOV (Bosnia and Herzegovina) said that exactly one year had elapsed since the signing of the Dayton Peace Agreement. The Agreement had brought peace to Bosnia and Herzegovina and, hopefully, an end to aggression. Zones of separation of military forces had been established, but the nationalist forces were trying to turn their demarcation lines into international borders, thereby resisting the reintegration of a tolerant, multi-ethnic, multireligious and multicultural State. Those forces were still engaging in ethnic cleansing and were impeding the return of displaced persons to their homes. Moreover, the perpetrators of the most serious war crimes remained at liberty.

71. The normalization of life in his country was progressing slowly and with many difficulties. The most important thing, however, was that women and children were no longer being killed by sniper fire and shells; that the availability of food, electricity and water had improved; and that children were back in their classrooms. The reconstruction and restoration of the economy was lagging, however; less than 50 per cent of the resources allocated and pledged for that purpose by the international community had actually been provided, with the result that many people were unemployed, the majority of them young people and demobilized soldiers.

72. Elections had been held for the highest institutions of the State. Despite many difficulties due to obstructionism on the part of the Republika Srpska, the three-man Presidency had started functioning. However, agreement had yet to be reached on the start of work by Parliament and on the composition and establishment of the Council of Ministers and the Constitutional Court.

73. Under such complex political, economic and social conditions, it was very difficult to guarantee the exercise of human rights and freedoms. The situation of human rights in the larger portion of the country's territory was grave, even alarming, especially in the territory of Republika Srpska and in some parts of the Federation which were under the control of the Croat Defence Council. People there were exposed to the tremendous political and psychological pressures and there was discrimination with regard to employment and the

exercise of certain other rights. The nationalist forces were even resisting the process of democratization and the introduction of the rule of law.

74. In accordance with the Dayton Peace Agreement, a Commission for Human Rights had been established, its activities with regard to both past and present human rights violations, such as the burning and destruction of houses to prevent the return of refugees and displaced persons, should be intensified.

75. Despite the extremely difficult conditions prevailing at the time, his Government had succeeded to the main international human rights instruments as early as 1993. It had now ratified the remaining human rights instruments stipulated in the appendix to the Peace Agreement. It was expected that the Parliamentary Assembly, the Presidency and the Council of Ministers, as well as the appropriate local authorities, would establish programmes for the adoption of the necessary regulations and monitoring mechanisms in the area of human rights and fundamental freedoms. Priority would be given to the following aspects: creating conditions conducive to the safe return to their homes of refugees and displaced persons, that being the basic precondition for the country's reintegration, the restoration of pluralism and the beginning of the reconciliation process; freedom of movement throughout the national territory, without which the return of refugees and displaced persons and the work of economic reconstruction could not begin; non-discrimination in respect of employment and the exercise of other rights concerning institutions of law and public administration; and processing of the property claims of refugees and displaced persons so that they could start a new life and resume their economic activities. Considerable assistance from the international community would be necessary to that end. It was also essential to ascertain the truth about the thousands of missing persons; to assist the victims of genocide, rape and abuse; and to bring to justice all instigators and perpetrators of crimes against humanity and grave violations of international humanitarian law.

76. In view of the crucial need for human rights education, a special publication had been produced containing the texts of all the international human rights instruments stipulated in the Dayton Peace Agreement. Given the great disparities existing in the territory of Bosnia and Herzegovina with regard to human rights issues, his delegation requested that, in addition to applying political and diplomatic pressure, the international community should make the provision of assistance for reconstruction and economic rehabilitation conditional upon respect for human rights and fundamental freedoms and full cooperation with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.

Draft resolution A/C.3/51/L.36 on respect for the right to universal freedom of travel and the vital importance of family reunification

77. Mr. REYES RODRIGUEZ (Cuba), introducing the draft resolution, said that the upsurge in international migration in recent years meant that the rights of migrant workers, particularly the right to family reunification, had become more important than ever. The draft resolution called upon Governments, inter alia, to protect the rights of migrant workers and refrain from any form of discrimination against them, and to ensure that they enjoyed the right to send financial remittances to relatives in their countries of origin.

78. The CHAIRMAN informed the Committee that a number of delegations had asked to exercise their right of reply. She invited them to do so.

79. Mr. WANG Min (China), responding to the statement by the United States representative, said that she had made unfounded allegations concerning the human rights situation in China. Instead of being so energetic in accusing others, the United States Government should give greater attention to the well-known serious human rights violations that were occurring in its own country. That Government, which considered itself the leader of the world, had encroached upon the territorial integrity of another State, had imposed economic sanctions against it and was even demanding that third countries abide by United States domestic law. An increasing number of countries objected to such behaviour: they were sovereign States and the United States did not control them and had no right to interfere in their internal affairs.

80. Soon after the establishment of the People's Republic of China, the United States had imposed sanctions against it, but the Chinese people had not been intimidated. The latest slanderous attack on China would not slow the pace of progress in China nor change the development course chosen by its people.

81. Mr. OTUYELU (Nigeria), responding to the statement by the United States representative, said that Nigeria was implementing a comprehensive and credible programme of democratic transition. It was for the Nigerian people, not another State, to determine what was good for them. The transition was under way and many of the measures contained in the transition programme had already been faithfully implemented. Other States should show some understanding and take account of the local conditions prevailing in the country. As for the release of detainees, he recalled that the Government had set up a committee to review the cases of persons who were still in detention. He had recently provided the Committee with a list of detainees who had been released. Regarding the absence of participation by the political opposition in Nigeria, he reminded the United States representative that the elections had not yet been held and that five political parties had been registered and were preparing to compete in local elections. Any Nigerian citizen could choose to join any of those parties.

82. Mr. AL-HUMAIMIDI (Iraq), responding to the statement by the United States representative, said that deference to the international community, as represented in the Committee, precluded him from responding to that statement in the same style and using the same kind of language as the United States representative had used. The State which insisted on starving 20 million Iraqi citizens and maintaining its blockade against Iraq, and which had killed more than 300 children, women and elderly people in one shelter and had used depleted uranium bombs indiscriminately in its aggression against Iraq, should be the last to talk about human rights in the Committee. The statement by the United States representative expressed a compulsively aggressive political stance which had nothing to do with human rights.

The meeting rose at 6.10 p.m.